

**TOWN OF VASS
BOARD OF COMMISSIONERS
REGULAR MEETING
January 14, 2019**

The Regular Meeting was called to order by Mayor Pro Tem Callahan at 6:03 p.m. Commissioners in attendance were Blackwell, Kosem, Mosley and Kellis. Mayor Callahan was excused. Kathy Liles was also present.

A. Approval of Agenda

Mayor Pro Tem Callahan asked if there were any additions to the Agenda. Commissioner Kosem added Item K. Andy Layton's Retirement. L. Commissioner Kellis added Item L. Ballfield.

Mayor Pro Tem Callahan asked for a motion to approve the agenda and consent agenda. Commissioner Kosem made a motion to approve. All were in favor.

B. Consent Agenda

Items approved by above motion were:

1. Minutes of December 10, 2018 Regular Board Meeting
2. Minutes of December 10, 2018 Closed Session
3. Financial Report for December 2018

C. Police Report: Chief Blakeley

Exprezit, located at 3545 US Hwy 1 Bus was broken into on December 28, 2018. On January 12, 2019 Edward D. Moore. Per General Statute the following information can be released. Mr. Moore is a 32-year-old male living at 4325 Cypress Church Road, in Cameron. Officer Flynn took the initial call, Officer Ballard wrote the search order and Chief Blakeley and Officer Miller made the arrest.

Chief Blakeley asked for permission to use the \$900 from the sale of the dog kennel. Commissioner Kellis and Mayor Pro Tem Callahan informed him that matter would be addressed under item G on the agenda.

D. Public Comments

None

Old Business:

- E.** Leigh Baggs Grant writing Proposal: Leigh Baggs presented a proposal to the board to work one day a week for two hours. Her duties would include working on areas to strengthen the PARTF Grant application, special events and recreational activities. Ms. Baggs said it is typical for an application for a PARTF Grant not to get funded on the first submission. Next years application is due on May 1st. Ms. Baggs will work with Commissioner Kellis, Barbara Boyd and Mabel Walden. Mayor Pro Tem Callahan asked Ms. Baggs if she knew of any canoe trails in the area. Leigh said there have not been any done in the Vass area. Trails have been done in Deep River and the Hall River as well as Crain's Creek. There is a possibility to expand to that project also. Mayor Pro Tem Callahan said he is referring to Little River which is in our ETJ for several miles.

Would that be a problem? Leigh said there is information about how to design and construct one. Engineers to boy scouts' troops could help with the project. There are grants through Clean Water Management Trust Fund. There is also another fund that covers trails and is not specific to parks. Mayor Pro Tem Callahan has noticed kayaks and canoes in many yards when he is out doing his work. Leigh reminded the board that the citizens of Vass stated they wanted recreational activities where they didn't have to drive to Carthage, Aberdeen, Southern Pines, Pinehurst or Sanford, they want opportunities in their own community. Mayor Pro Tem Callahan stated the focus is on the park for now. Leigh said she would provide information to him. Leigh said there were not, however she could investigate it further, he replied that would not be necessary, and she should focus on the park, he was just curious. Commissioner Mosley asked if we would have to start over with the PARTF application or could we use most of the last application. Leigh said we can use that application however we need to strengthen some areas. 90 to 95 percent of the current application can be used. Commissioner Kellis said we need to get everything squared away before we get too close to the May deadline. He spoke about the proposal for playground equipment brought in by Commissioner Blackwell. made a motion to table until January 14, 2019. Mabel asked if the hourly rate would remain the same as the rate, she charged last year. Leigh said she will work at a discounted rate not to exceed her previous hourly rate. Commissioner Mosley made a motion to accept Ms. Baggs proposal at the current rate or reduced rate. All were in favor.

New Business:

F. Kathy Liles reviewed the proposed concept plan and Statement of Land Use Plan Consistency for John and Suzanne Via approved by the Planning Board on January 7, 2019. She explained the Planning Board requested the building be turned in such a way to minimize impact to the residential communities nearby. Conditional Zoning allow the board to add the following conditions to run with the land. The Via's were originally looking at five parcels and have now reduced the request down to two. The building will be close to Business 1 with the storage area shielded from the residential area.

1. They would need to submit construction drawings to make sure they comply with all the requirements of the Vass Zoning Code.
2. Reduce the front set back to 15 feet.
3. The Via's were instructed to contact DOT to make sure there would not be any problems with them (driveway and telephone pole).
4. Everything must be contained within the setbacks.
5. All corners would be marked to make sure everything fits within the site before too much time and money is spent on the project.
6. Kathy asked if the Commissioners are comfortable with the concept plan as presented would they consider allowing staff to look at the construction drawing and site plans in order to keep the project moving without having to come before the board for a second approval.
7. The number of vehicles moving through the facility must fit within the site.
8. All conditions must be accepted in writing. If the conditions are not accepted in writing the conditional zoning becomes null and void.

Mayor Pro Tem Callahan commented the plan was a good concept. Moving the building closer to the highway keeping in step. One of the biggest concerns was how close this commercial business would be to Holly Street and Dogwood Avenue. It is better for them to be closer to the highway. Past automotive repair businesses tended to let cars pile up. He has seen the way Ole Steel does their business and thinks they do a really good job at keeping overflow to a minimum. Commissioner Kellis stated he was pleased with the way Ole Steel currently did business. Mayor Pro Tem asked

Commissioner Kosem if the Planning Board had any other conditions, he stated Ole Steel did everything that was asked of them.

Kathy Liles read into record the Land Use Consistency Plan. Copy attached as Exhibit A.

Motion for a Resolution of Consistency stating the project is consistent with the Land Use Plan. Motion made by Commissioner Blackwell. All were in favor. Resolution will be ready for the board to sign at the next meeting.

Commissioner Blackwell made a motion to approve conditional zoning from MU R-1 to HC-CZ and to allow staff to sign off. All were in favor.

G. Budget Ordinance Amendment #12 will amend the General Fund expenditures as follows and recognize the expense for car repairs and expenses.

10-5200-4560 2012 Charger Car #3, increase \$300

10-5200-4230 2008 Crown Vic Car #4 increase \$900

To balance the General Fund budget, the \$900 revenue from the sale of the canine kennel will be appropriated.

Commissioner Mosley made a motion to approve Budget Ordinance Amendment #12. All were in favor.

H. Mayor Pro Tem Callahan read the following names to be appointed to the Board of Adjustment: Henry Callahan, Bruce Morgan, Kevin Cagle, Roy Grant and Frank VanArsdale. Commissioner Kellis made a motion to approve the board of adjustments appointments and re appointments. All were in favor.

Discussion Topics:

I. Mayor Pro Tem Callahan gave an update on the Moore County Sewer project. The county is starting to acquire easements and right of ways.

J. Union Place Drainage: Kathy Liles referred Gary McCabe from Red Line Engineering. Mr. McCabe did a site visit to Union Place Subdivision – Phases 1 & 2 on December 22, 2018. A copy of his report is attached to these minutes and labeled Exhibit B. The board of commissioners reviewed Mr. McCabe's observations, conclusions and recommendations. Questions to consider

- 1) What is the towns responsibility.
- 2) Is there any civil liability.
- 3) Did the problems start before or after the builders started building?
- 4) The town needs to find out who covered up the ditches
5. We need clarification from our attorney that we did not assume the easements for stormwater.

Kathy said it appears the engineers pulling the permits they need to get the initial layout of the subdivision started on the front end. When the project goes from the developer to the builder, the builder is making changes to the lots and has resulted in them changing things to the infrastructure that had been dedicated to the town. Sometimes you can not go back and undo what has been done

and it appears the changes vary from lot to lot. There are maintenance issues and concerns about who is responsible to make sure maintenance is being done.

Gary McCabe suggested the town might want to hold off on not accepting roads and infrastructure until the projects are at a certain percent built out. This will allow us to not accept too early. Another potential problem is settlement basins that get closed out. If they are not adequately compacted and houses are eventually built on them there are going to be potential problems.

Commissioner Kellis is concerned about the elevation of some of the houses being too low. The town relies on the builders to meet standards. Kathy said the town may have a civil issue if the builders have gone in and affected property owned by the town. We could send Mr. McCabe's findings to the town attorney.

Kathy Liles suggested putting together a list of engineers to review projects on a rotating basis. The rate could be added to the fee schedule in the future.

Upon receipt of the letter from McGill and Associates Mabel will email it to the commissioners for review.

Mayor Pro Tem Callahan asked Commissioner Kosem if he remembered when the drain issues first started. He believes the drainage pond started having problems when the builders started building houses.

K. Commissioner Kosem informed the board Andy Layton is planning to retire May 31, 2019. Motion made by Commissioner Blackwell to allow Mabel Walden to place an employment ad for his replacement. All were in favor.

L. Commissioner Kellis wanted to discuss the soccer team playing on the field when it is wet. Mabel Walden stated she called them, and they agreed not to play if the field is wet.

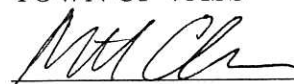
Mabel Walden stated the County wants to use the baseball field on the opposite nights from the Stingrays. The board is fine with them using it, but they should have to pay for the use of the field. They could maintain the field. Leigh Baggs said she would work with Billy Ransom to put together a proposal. Barbara Boyd mentioned the light bill is quite high and that we may need to charge more. She will look at the bill and give them an update. Commissioner Mosley would like to see the county bring more activities to Vass.

Commissioner Kosem made a motion to go into Closed Session to discuss personnel matters pursuant to G.S. 143-318.11(a)(6). All were in favor.

Adjournment

Mayor Pro Tem Callahan asked for a motion to adjourn. Commissioner Mosley made a motion to adjourn the meeting at 7:21 p.m. The motion carried unanimously.

TOWN OF VASS



Matthew Callahan, Mayor Pro Tem

ATTEST: Mabel A. Walden
Mabel A. Walden, Town Clerk